REMARKS

The Office Action dated January 4, 2005 has been received and carefully considered. The following remarks are being submitted as a full and complete response to the Office Action.

Claims 1-3, 5, and 7-11 have been finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Bawa et al. (U.S. Patent No. 5,072,072) and Nishio (U.S. Patent No. 5,154,453), taken further in view of Hamburg (U.S. Patent No. 3,633,944).

The Examiner acknowledges that neither Bawa et al. nor Nishio discloses an annular projection. Therefore, the primary issue in this case is whether Hamburg discloses a regulating element comprising an annular projection as claimed, namely, an annular that protrudes a predetermined length from the end surface of the nut member toward the joint body, wherein a screwing amount of the nut member is regulated by abutment of the annular projection against an annular step of the joint body, and wherein the annular projection is plastically deformable so that the nut member is capable of being further screwed after the annular projection abuts against the annular step of the joint body through compression and deformation of the annular projection.

In his rebuttal arguments, the Examiner asserts that elements 46 and 47 of Hamburg form an annular projection (i.e., shaped like or forming a ring).

According to the cited reference, element 46 is a "flange bead" and a number of "bumps or projections" 47 are provided on the flange bead 46 (col. 3, lines 63-65). To the extent that

the flange bead 46 projects in any direction from an end surface of the cap member 15, the flange bead 46 projects circumferentially outward from the cap 15, and the flange 46 per se does not project *toward* the body portion 22. Only the bumps or projections 47 could properly be considered to project toward the body portion 22. However, although such bumps might collectively lie within an annular region, the bumps 47 themselves do not form an annular projection. An annulus is a *continuous* ring-shaped form. In other words, the bumps do not form an annular projection "having a continuous annular shape" that protrudes a predetermined length from the end surface of the nut member toward the joint body, as presently claimed.

Secondly, as presently amended, a screwing amount of the nut member is regulated by abutment of a "continuous annular end surface" of the annular projection against an annular step of the joint body. However, as is clear from FIGS. 5 and 9 of Hamburg, there is no continuous annular end surface that ever comes into abutment against an annular step of the body portion 22. Rather, in Hamburg, the bumps 47 simply "click" against complementary body projections 34 of the body portion 22. The bumps 47 do not form or comprise a continuous annular end surface, which comes into direct contact with an annular step of the body portion 22, as required in the amended claims. Accordingly, the claimed feature, "said screwing amount of said nut member is regulated by abutment *of a continuous annular end surface* of said annular projection against an annular step of said joint body," clearly is not shown or suggested by the cited reference.

Finally, in his rebuttal arguments, the Examiner asserts that the bumps 47 of Hamburg are inherently capable of plastic deformation.

It is respectfully submitted that the applicants have already presented evidence that, when used in their intended manner, the bumps 47 of Hamburg are not plastically deformable. More specifically, as already noted, the function of the bumps is to create an "audible click which signals that the cap is sufficiently tightened" (col. 3, lines 67-68). This function clearly implies that the bumps 47 should not be made of a plastically deformable (i.e., malleable) material. Therefore, when taken at face value, the cited reference already indicates that such bumps are not intended to be made of a plastically deformable material.

Of course, it is recognized that most materials, when pressed to extremes, could be deformed in some manner. However, a cited reference must be considered in light of its intended use. When used as intended, the bumps 47 of Hamburg are not subjected to "compression and deformation" as presently claimed. More specifically, there is no reasonable basis for asserting that the bumps 47 of Hamburg form a continuous annular projection, which is plastically deformable so that the nut member is capable of being further screwed after a continuous annular end surface of the annular projection abuts against an annular step of the joint body through compression and deformation of the annular projection, as now set forth in amended claim 1.

For the foregoing reasons, it is respectfully submitted that the claimed invention would not have been obvious to a person skilled in the art at the time the present invention was made. Reconsideration and allowance of amended claims 1-3, 5, and 7-11 is respectfully requested.

Petition for Extension of Time

This paper is accompanied by a request for a one-month extension of time for responding to the Office Action, the fees for which ($120.00) may be charged to the Attorney's Deposit Account No. 07-2519. No other fees are due. Notwithstanding, should it be deemed that fees, or deficiencies in fees, are required in connection with this or any accompanying communication, such amounts may also be charged to the Attorney's Deposit Account No. 07-2519.

Respectfully submitted,

Paul A. Guss
Reg. No. 33,099
Attorney for Applicant

CS-31-031114

775 S. 23rd St. #2
Arlington, VA 22202
Tel. 703-486-2710